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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,070	06/27/2001	Bobby Joe Caine	COPH-00701	4243

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EXAMINER	
RHODE JR, ROBERT E	

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/893,070	CAINE, BOBBY JOE	
	Examiner	Art Unit	
	Rob Rhode	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 – 6 and 13 -20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 – 6 and 13 -20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant amendment of 6-14-05 provided new drawings and traversed rejections of Claims 1 – 6 and 13 -20 as well as canceled claims 7 – 12.

Currently, claims 1 – 6 and 13 -20 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. . In Claim 13, the word "full " is a relative word, which renders the claims indefinite. The word " full " is not defined by the claim(s), the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention. For examination purposes the word "full" will be treated as meaning a linked file, which includes additional map information stored at a different scale and thereby provides a greater/fuller detail.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4 – 6, 13 - 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Conoco uses GIS technology to map geology, geography through the era's"; Foley Donald, Oil and Gas Journal; Tulsa; May 8, 1995 and hereafter referred to as "Conoco" in view of Nomura (US 6,023,655) and further in view of Official Notice.

Regarding claim 1 and related claim 13, Conoco teaches a method of manufacturing a computer readable medium for marketing of geophysical seismic data, the method comprising the steps of:

converting data in a plurality of full seismic data files from a vector format to a computer graphic format to create a plurality of corresponding graphic image;

linking each of said compressed seismic data files to a respective one of a plurality of surface seismic data lines, wherein selection of one of said surface seismic data lines from a map displayed by a computer system causes a geophysical image corresponding to said receptive one of said compressed seismic data files to be displayed (see at least pages 1, 2, 3 and 4).

Please note that Conoco does not specifically disclose marketing. In that regard, the word marketing is considered for examination purposes to be non-functional descriptive material. In that regard, methods and systems with a preamble, which recite such words as "marketing" that a kind/type of intended use including such specifics as "marketing" is given little patentable weight (MPEP 2106). The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Conoco. For example, the body of the claims can be executed regardless of the intended use such as marketing. Thereby, the non-fictional descriptive material is directed only to the intended use and therefore does not affect either the structure or method/process of Conoco, which leaves the method and system unchanged.

While it is implicit in Conoco that the reference discloses linking of files, the reference does not specifically disclose and teach a method and apparatus of providing a reference in each of said compressed seismic files data files for linking to respective one of said corresponding full seismic data files and storing said compressed seismic data files, said references, and said map on said medium.

With regard to compression of files, the Examiner takes Official Notice. Techniques for compression of files was old and well known at the time of the applicant's invention and include techniques such as JPEG, which were routinely employed. Therefore, one of ordinary skill would have been motivated to use compression techniques for the data to

ensure the use of less storage space and thereby reduce the amount of storage and the corresponding cost for purchasing additional storage devices or servers as well as reducing the required bandwidth of communications circuits to transmit the data.

On the other hand and in the same area of providing graphic images to create data files, Nomura teaches a method and apparatus of providing a reference in each of said compressed seismic files data files for linking to respective one of said corresponding full seismic data files; and storing said compressed seismic data files, said references, and said map on said medium (see at least Abstract, Col 2, lines 9 – 30 and Figure 23). Please note that the type of stored data such as "seismic data" is considered to be non-functional descriptive material and is given little patentable weight (MPEP 2106). The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Nomura. Thereby, the non-fictional descriptive material is directed only to the content of the data (. i.e. seismic data - which is stored data) and does not affect either the structure or method/process of Nomura, which leaves the method and system unchanged. Moreover, the storing of data regardless of content was old and well known at the time of the applicant's invention and therefore one of ordinary skill would have been motivated to store their data/information after each use. In that manner, the user does not have to recreate the data/information each time, which will improve productivity.

It would have been obvious to one of ordinary skill in the art to have provided the method and article of Conoco with the article and method of Nomura to have enabled a method and article for a of manufacturing a computer readable medium for marketing of geophysical seismic data, the method comprising the steps of:
converting data in a plurality of full seismic data files from a vector format to a computer graphic format to create a plurality of corresponding graphic image files; compressing each of said plurality of graphic image files to create a plurality of corresponding compressed seismic data files; providing a reference in each of said compressed seismic data files for linking to respective ones of said corresponding seismic data files; linking each of said compressed seismic data files to a respective one of a plurality of surface seismic data lines, wherein selection of one of said surface seismic data lines from a map displayed by a computer system causes a geophysical image corresponding to said receptive one of said compressed seismic data tiles to be displayed; and storing said compressed seismic data files, said references, and said map on said medium. Conoco discloses a method and article manufacturing a computer readable medium for marketing of geophysical seismic data, the method comprising the steps of: converting data in a plurality of full seismic data files from a vector format to a computer graphic format to create a plurality of corresponding graphic image files; linking each of said compressed seismic data files to a respective one of a plurality of surface seismic data lines, wherein selection of one of said surface seismic data lines from a map displayed by a computer system causes a geophysical image corresponding to said receptive one of said compressed seismic data tiles to be

displayed (see at least Pages 1 - 3). In turn, Nomura discloses a method and article for compressing each of said plurality of graphic image files to create a plurality of corresponding compressed seismic data files; providing a reference in each of said compressed seismic data files for linking to respective ones of said corresponding seismic data files; and storing said compressed seismic data files, said references, and said map on said medium (see at least Abstract). Therefore, one of ordinary skill in the art would have been motivated to extend the method and article of Conoco with a method and article for compressing each of said plurality of graphic image files to create a plurality of corresponding compressed seismic data files; providing a reference in each of said compressed seismic data files for linking to respective ones of said corresponding seismic data files; and storing said compressed seismic data files, said references, and said map on said medium. In this manner, the user will be able to ensure that the files when queried will be associated with the correct file and thereby eliminate any possible confusing that could be caused by retrieving an incorrect file

Regarding claim 4 and related claims 5 and 20, Conoco teaches an article of manufacture, wherein said references are respectively embedded in said compressed seismic data files and are visible in said corresponding geophysical display (Page 3).

Regarding claim 6 and related claim 17, An article of manufacture, wherein each of said plurality of compressed seismic data files m created from corresponding ones of said full seismic data files using a lossy compression technique and (claim14) wherein said

step of compressing is repeated until said compressed seismic data file is within a predetermined size and (claim 16), wherein said compressed seismic data file is in a Joint Photographic Experts Group (JPEG) format. While the combination does not specifically disclose compression, it would have been obvious to one of ordinary skill in the art that a compression technique would have been required. Moreover, these compression techniques were old and well known at the time of the applicant's invention and thereby they would have been motivated to apply these old and well-known compression techniques to preclude excessive large storage, processing and communication capabilities..

Claims 2, 3, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Conoco and Nomura as applied to claims 1 and 13 above, and further in view of screen shots of ESRI.com captured via the WayBackMachine (archieve.org) and hereafter referred to as "ESRI".

The combination of Conoco and Nomura disclose and teach substantially the applicant's invention.

However, the combination does not specifically disclose and teach a method, wherein said medium is a removable medium selected from the group consisting of: a compact disk (CD); a digital versatile disk (DVD),' a magneto-optical (MO) disk; a magnetic tape; a magnetic disk; a micro drive; and a compact flash card and wherein said

medium is fixed within a computer system and adapted to receive said files from another computer as well as wherein said step of storing comprises transmitting said compressed seismic data files, said references, and said map via a computer network for storage in a fixed medium associated with a broker computer.

On the other hand and regarding claim 2 and related claim 18, ESRI teaches an article and method of manufacture, wherein said medium is a removable medium selected from the group consisting of: a compact disk (CD); a digital versatile disk (DVD),' a magneto-optical (MO) disk; a magnetic tape; a magnetic disk; a micro drive; and a compact flash card (Page 9 and 10).

Regarding claim 3, ESRI teaches an article of manufacture, wherein said medium is fixed within a computer system and adapted to receive said files from another computer (Page 11).

Regarding claim 19, ESRI teaches a method, wherein said step of storing comprises transmitting said compressed seismic data files, said references, and said map via a computer network for storage in a fixed medium associated with a broker computer (Page 16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Conoco and Nomura with the article and method of

ESRI to have enabled a method, wherein said medium is a removable medium selected from the group consisting of: a compact disk (CD); a digital versatile disk (DVD),' a magneto-optical (MO) disk; a magnetic tape; a magnetic disk; a micro drive; and a compact flash card and wherein said medium is fixed within a computer system and adapted to receive said files from another computer as well as wherein said step of storing comprises transmitting said compressed seismic data files, said references, and said map via a computer network for storage in a fixed medium associated with a broker computer (see at least Pages 9 – 12). The combination of Conoco and Nomura disclose an article and method of manufacturing a computer readable medium for marketing of geophysical seismic data. In turn ESRI disclose a method, wherein said medium is a removable medium selected from the group consisting of: a compact disk (CD); a digital versatile disk (DVD),' a magneto-optical (MO) disk; a magnetic tape; a magnetic disk; a micro drive; and a compact flash card and wherein said medium is fixed within a computer system and adapted to receive said files from another computer as well as wherein said step of storing comprises transmitting said compressed seismic data files, said references, and said map via a computer network for storage in a fixed medium associated with a broker computer (see at least Pages 9 – 12). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Conoco and Nomura with a method, wherein said medium is a removable medium selected from the group consisting of: a compact disk (CD); a digital versatile disk (DVD),' a magneto-optical (MO) disk; a magnetic tape; a magnetic disk; a micro drive; and a compact flash card and wherein said medium is fixed within a computer system and adapted to

receive said files from another computer as well as wherein said step of storing comprises transmitting said compressed seismic data files, said references, and said map via a computer network for storage in a fixed medium associated with a broker computer.

Response to Arguments

Applicant's arguments, filed 6-14-05, with respect to the rejection(s)of claim(s) 1-6 and 13 -20 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Conoco and Nomura.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art includes Jones (US 4,558,438), which discloses displaying geophysical information and Bouve (US 6,415,291 B2), which discloses drill down capability of geographic informational maps as well as Chui (US 5,841,473), which discloses compression techniques.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rob Rhode** whose telephone number is **571.272.6761**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **571.272.7159**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

571-273-8300 [Official communications; including After Final communications labeled "Box AF"]

For general questions the receptionist can be reached at 571.272.3600

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeffrey A. Smith
Primary Examiner